

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ERIE COUNTY ENVIRONMENTAL)	
COALITION, PENNENVIRONMENT,)	
INC. and THE GAIA DEFENSE LEAGUE,)	
Plaintiffs)	
)	
v.)	CIVIL ACTION NO. 05-59 ERIE
)	ELECTRONICALLY FILED
MILLCREEK TOWNSHIP SEWER)	
AUTHORITY AND MILLCREEK)	JUDGE COHILL
TOWNSHIP,)	
Defendants)	

**SECOND SUPPLEMENTAL
AFFIDAVIT OF GEORGE W. RIEDESEL**

COMMONWEALTH OF PENNSYLVANIA)	
)	ss:
COUNTY OF ERIE)	

I, GEORGE W. RIEDESEL , first being duly sworn on oath and under penalty of perjury, hereby states as follows:

1. It has been nearly 29 months (September 2004 - February 2007) since there has been an overflow at the following three locations: (1) 51st and 52nd Streets and Zimmerly Road; (2) Larchmont and Beaver Streets; and (3) Church and Patton and Pershing Streets.
2. On October 24, 2006, the Peach Street Division Project was completed and fully operational.

3. The actual cost of the Peach Street Diversion Project was \$217,398.13.
4. With respect to the areas that impact the Beaver Run Sewer (and hence the overflows at the manholes in the Larchmont and Beaver Streets area and the Church and Patton and Pershing Streets area), Millcreek Township Sewer Authority ("MTSA") and Millcreek Township ("Millcreek") have conducted 267 additional inspections.
5. MTSA and Millcreek have now conducted over 600 inspections in the areas tributary to the three manhole overflow areas alleged in Plaintiffs' Complaint.
6. MTSA and Millcreek have now inspected all of the areas that are tributary to the manholes at the Church and Patton and Pershing Streets area.
7. MTSA and Millcreek presently are completing inspections in all of the areas that are tributary to manholes in the Larchmont and Beaver Streets area.
8. MTSA and Millcreek also have eliminated 11 additional illegal stormwater connections that were impacting the areas during storm events.
9. It is estimated that on average, the removal of these 11 additional illegal connections has reduced peak flows through the Beaver Run Interceptor by at least 80,000 gallons per day instantaneous peak flow.
10. With the removal of 11 additional illegal connections, MTWA and Millcreek have removed 52 illegal connections in the areas served by these locations since the inception of the I&I inspection program in 2003.
11. The total removal of 52 illegal connections has reduced peak flows on average through the Beaver Run Interceptor by at least 0.303 MGD instantaneous peak flows.

12. The work relating to the construction of the overflow retention tanks and accompanying improvements to the Kearsarge Pump Station began on May 15, 2006.

13. As of January 30, 2007, the contractor has completed construction of one of the two tanks, made significant progress in the construction of the second tank and has completed most of the other major components of the project, except the forward pump replacement, which will be completed shortly. The project is expected to be ready for startup and testing in late February/early March 2007.

14. Exhibit 1 attached hereto is a true and correct copy of a photograph taken on January 30, 2007, showing the construction progress on the storage tanks. The storage tank in the background is completed, while the storage tank in the foreground is near completion.

15. Exhibit 2 attached hereto is a true and correct copy of a photograph taken on January 30, 2007, showing the SCADA controller panel, which has been installed as part of the project.

16. Exhibit 3 attached hereto is a true and correct copy of a photograph taken on January 30, 2007, showing the SCADA controller (located in the background), which has been installed as part of the project.

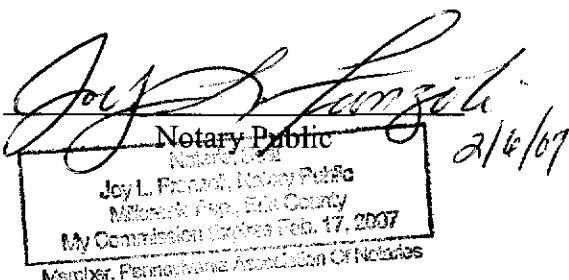
17. Exhibit 4 attached hereto is a true and correct copy of a photograph taken on January 30, 2007, showing the new electrical panels, which have been installed as part of the project.

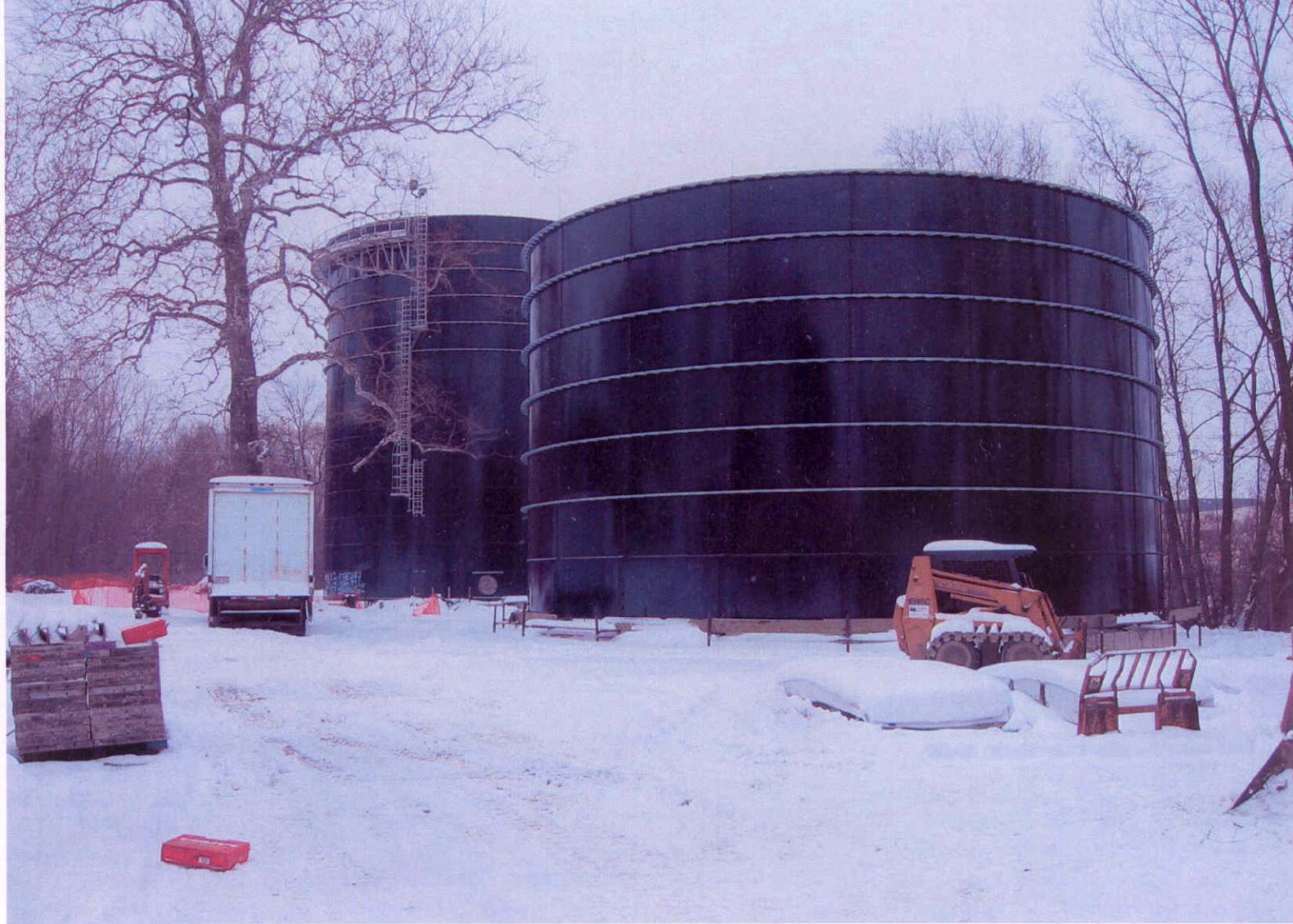
18. Under the current schedule, the overflow retention tanks and accompanying improvements to the Kearsarge Pump Station are to be completed and operational on or before March 26, 2007, as required by the 2003 COA, and the overflow will be removed on or before April 25, 2007, as required by the 2003 COA.

George W. Riedesel
George W. Riedesel

Sworn to and subscribed before me

this 6th day of February, 2007.





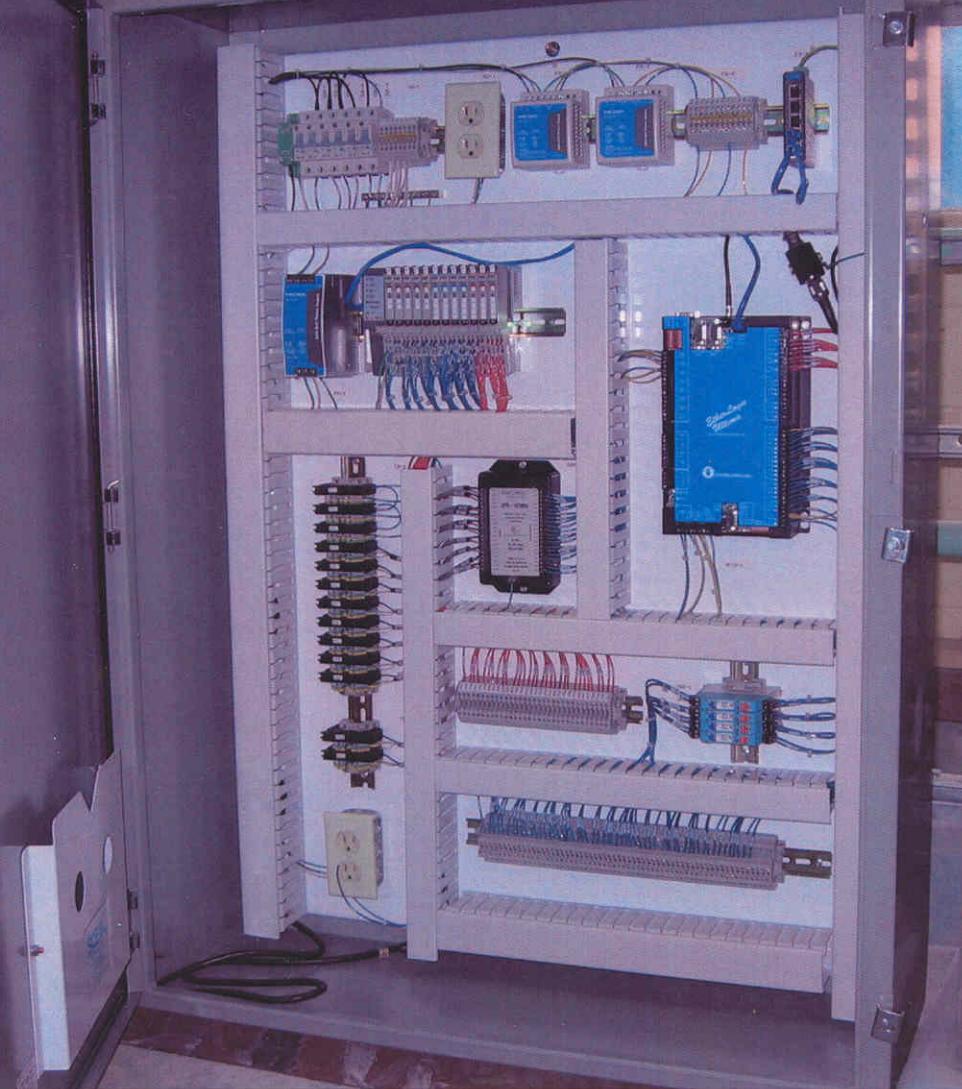


Exhibit 2



Exhibit 3

